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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Kroczek	Confirmation No.:	9651
Serial No.:	10/647,072	Art Unit:	1644
Filed:	August 22, 2003	Examiner:	To Be Assigned
For:	COSTIMULATING POLYPEPTIDE OF T CELLS, MONOCLONAL ANTIBODIES, AND THE PREPARATION AND USE THEREOF	Attorney Docket No:	709181-999261
		Attorney Ref. No.	7853-267

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicant hereby direct the Examiner's attention to references A01-A07; B01-B06; and C01-C37 listed on the attached "List of References Cited by Applicant."

The current application is a continuation of U.S. application no. 09/509,283, filed August 11, 2000, which is the U.S. national stage of PCT application no. PCT/DE98/02896, filed September 23, 1998, which claims the benefit of German Application nos. DE 19821060.4, filed May 11, 1998, and DE 19741929.1, filed September 23, 1997.

Copies of references A05-07, B01, C14, C23, C25 and C36 are submitted herewith. References A05-A07 are copies of the pending claims of co-pending, commonly owned U.S. application nos. 09/509,283, 09/823,307 and 09/972,524. As evidence of the co-ownership (by the Bundesrepublik Deutschland letztvertreten durch den Director des Robert-Koch-Institutes, or "the Robert Koch Institute") a copy of the assignment of U.S. application no. 09/509,283 and related applications to the Robert Koch Institute, which was recorded as of August 11, 2000 at reel 011055, frame 0077, is submitted herewith as Exhibit A.

Pursuant to 37 C.F.R. § 1.98(d), and so as not to over burden the Patent and Trademark Office files, copies of references A01-04, B02-06, C01-C13, C15-C22, C24, C26-35, and C37 are not included. Applicant refers the Examiner to parent application no.

09/509,283 for copies of these references. However, Applicant will submit copies of the aforementioned references upon request by the Examiner.

Identification of the listed references is not to be construed an admission of Applicant or Attorneys for Applicant that such references are available as "prior art" against the subject application.

Applicant respectfully requests that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. §1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: October 24, 2005

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No. L0012

**LIST OF REFERENCES CITED BY APPLICANT**

(Use several sheets if necessary)

ATTY. DOCKET NO.  
709181-999261APPLICATION NO.  
10/647,072APPLICANT  
KroczekFILING DATE  
August 22, 2003GROUP  
1644**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	US-2002/0164697	11/2002	Coyle et al.			
	A02	US-2002/0156242	10/2002	Tamatani et al.			
	A03	US-2002/0151685	10/2002	Tamatani et al.			
	A04	US-2002/0115831	08/2002	Tamatani et al.			
	A05	09/509,283	08/11/2000	Kroczek (pending claims)			
	A06	09/823,307	04/02/2001	Kroczek (pending claims)			
	A07	09/972,524	10/04/2001	Kroczek (pending claims)			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B01	WO 00/46240 A	08/2000	WIPO				
	B02	WO 99/15553	04/01/99	PCT				
	B03	WO 98/38216	09/03/98	PCT				
	B04	EP 984 023	02/27/98	EU				
	B05	WO 90/04180	04/19/90	PCT				
	B06	WO 89/10398	11/02/89	PCT				

**OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)**

	C01	Barbey et al., 1990, "DEL cell line: a "malignant histiocytosis" CD30+ t(5;6)(q35;p21) cell line." Int J Cancer. 45(3):546-53
	C02	Buonfiglio et al., 1999, "Characterization of a novel human surface molecule selectively expressed by mature thymocytes, activated T cells and subsets of T cell lymphomas", Eur. J. Immunol. 30:3463-3467
	C03	Buonfiglio et al., 2000, "The T cell activation molecule H4 and the CD28-like molecule ICOS are identical", Eur. J. Immunol. 30:3463-3467
	C04	Chambers and Allison, 1997, "Co-stimulation in T cell responses." Curr Opin Immunol. 9(3):396-404. Review
	C05	Chirgwin et al., 1979, "Isolation of biologically active ribonucleic acid from sources enriched in ribonuclease." Biochemistry. 18(24):5294-9
	C06	CRL 8001 ATCC Cell Lines and Hybridomas, page 393, 8 <sup>th</sup> edition, 1994 American Type Culture Collection catalog
	C07	Dianzani et al., 1999, "Characterization of human H4, a novel surface molecule selectively expressed by activated T cells and mature thymocytes", FASEB Journal, 13(5):712-39
	C08	Fischer et al., 1988, "A Ki-1 (CD30)-positive human cell line (Karpas 299) established from a high-grade non-Hodgkin's lymphoma, showing a 2;5 translocation and rearrangement of the T-cell receptor beta-chain gene." Blood. 72(1):234-40
	C09	Freeman et al., 1993, "Cloning of B7-2: a CTLA-4 counter-receptor that costimulates human T cell proliferation." Science. 262(5135):909-11
	C10	Gonzalo et al., Nature Immunol. July 2001; 2(7):597-604
	C11	Greenfield et al., 1998, "CD28/B7 costimulation: a review", Crit. Rev. Immunol. 18:389-418
	C12	Goettrup et al., 1996, "A third interferon-gamma-induced subunit exchange in the 20S proteasome." Eur J Immunol. 26(4):863-9

C13	Hara et al., 1985, "Human T cell activation. II. A new activation pathway used by a major T cell population via a disulfide-bonded dimer of a 44 kilodalton polypeptide (9.3 antigen). J Exp Med. 161(6):1513-24
C14	Keane-Myers et al., J. Immunol. January 15, 1998; 160:1036-1043
C15	Kirk et al., 1997, "CTLA4-Ig and anti-CD40 ligand prevent renal allograft rejection in primates. Proc Natl Acad Sci U S A. 94(16):8789-94
C16	Kohler and Milstein, 1975, "Continuous cultures of fused cells secreting antibody of predefined specificity." Nature 256(5517):495-7
C17	Kroczek RA., 1993, "Southern and northern analysis." J Chromatogr. 618(1-2):133-45.
C18	Lanier et al., 1995, "CD80 (B7) and CD86 (B70) provide similar costimulatory signals for T cell proliferation, cytokine production, and generation of CTL." J Immunol. 154(1):97-105
C19	Lenschow et al., 1996, "CD28/B7 system of T cell costimulation", Annu. Rev. Immunol. 14:233-258
C20	Linsley et al., 1992, "Coexpression and functional cooperation of CTLA-4 and CD28 on activated T lymphocytes." J Exp Med. 176(6):1595-604
C21	Lucas et al., 1995, "Naive CD28-deficient T cells can initiate but not sustain an in vitro antigen-specific immune response." J Immunol. 154(11):5757-68
C22	Lucia et al., 2000, "Expression of the Novel T Cell Activation Molecule hpH4 in HIV-Infected Patients: Correlation with Disease Status", Aids Research and Human Retroviruses, 16(6):549-557
C23	Mathur et al., Am. J. Respir. Cell Mol. Biol. 1999; 21:498-509
C24	Nishioka et al., 1994, "The role of CD40-CD40 ligand interaction in human T cell-B cell collaboration." J Immunol. 153(3):1027-36
C25	Ozkaynak et al., Nature Immunol. July 2001; 2(7):591-596
C26	Redoglia et al. 1996, "Characterization of H4: a mouse T lymphocyte activation molecule functionally associated with the CD3/T cell receptor", Eur. J. Immunol. 26:2781-2789
C27	Regenmortel, METHODS: A companion to Methods in Enzymology 1996; 9:465-472
C28	Riley et al., 1997, "Intrinsic resistance to T cell infection with HIV type 1 induced by CD28 costimulation." J Immunol. 158(11):5545-53
C29	Schneider et al., 1982, "A one-step purification of membrane proteins using a high efficiency immunomatrix. J Biol Chem. 257(18):10766-9
C30	Shahinian et al., 1993, "Differential T cell costimulatory requirements in CD28-deficient mice." Science. 261(5121):609-12
C31	Tamatani and Tezuka, Human Cell Surface Protein, Genseq Database Accession Number W75956
C32	Tamatani and Tezuka, Human Cell Surface Protein, Genseq Database Accession Number V53199
C33	Vogeli and Kaytes, 1987, "Amplification, storage, and replication of libraries." Methods Enzymol.152:407-15
C34	Wallace and Miyada, 1987, "Oligonucleotide probes for the screening of recombinant DNA libraries." Methods Enzymol.152:432-42
C35	Westemeier, 1997, "A Guide to Methods and Applications of DNA and Protein Separations." Electrophoresis in Practice, VCH Verlagsgesellschaft, Weinheim
C36	Willis-Karp M., Immunopharmacol. 2000; 48:263-268
C37	Wozney, 1990, "Using purified protein to clone its gene." Methods Enzymol. 182:738-51

**EXAMINER**

**DATE CONSIDERED**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.